



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

patient inquiry on the almost infinite number of topics, which come within the scope of such a work, and it has perhaps as few defects as ought to be expected in any production, the subject of which is perpetually changing.



ART. XI.—*United States Law Journal and Civilian's Magazine.* New-Haven, Gray & Hewit.

WE have derived so much satisfaction from the perusal of the two numbers of this work before us, that we cannot but step a little out of our course to express our good wishes for its encouragement. Its plan must recommend it to the attention of all, who, whether by reason of their taste or their pursuits, are interested in the prosecution of inquiries connected with the national economy, the laws, and the political institutions of our country ; and the execution, we feel confidently assured, has been answerable to the public expectations. It is enriched with hitherto unreported opinions of court in adjudged cases of extensive importance, and with other like pieces of a fugitive nature, which this journal will prove the means of preserving and rendering accessible to the profession. The editorial articles, consisting of essays, disquisitions and criticisms on various subjects of constitutional and municipal law, are written with much ability, and, although sometimes verging upon a less chastened style than is perfectly acceptable to a severe taste, are of such a quality as cannot fail to do credit to the character of our jurists, in England as well as in America.

To give a more complete view of the nature of the journal, we lay before our readers the contents of the two numbers as yet published. In the first are contained the following articles :

‘Bills of Exchange—Opinion of Judge Van Ness ; Jurisdiction of the United States Courts in Bankruptcy—Opinion by the same ; Equity Jurisdiction in the State of New York ; Examination of President Monroe’s Views on Internal Improvement—Mr Clay’s Speech on the same subject ; Practice under the Patent Laws of the United States—Opinion of Judge Van Ness ; Notice of Cowen’s Treatise on the Civil Jurisdiction of a Justice of the Peace ; Notice of Anthon’s *Nisi Prius* ; Translation of M. Dupin’s Historical Sketch of the Roman Law ; Statute of Frauds ; Will ; Notice of Swift’s Digest.’

In the second number are contained the following articles :

'Admiralty Law—Mariners' Wages—*Rand & al. vs. Ship Hercules—Williams vs. Brigantine Juno, &c.* ; Decision of Judge Livingston in the case of the United States *vs. Jacob Barker* ; Examination of Cases argued and determined in the Supreme Court of Judicature of the State of New York, in the terms of May, August, and October, 1821, and January, 1822 ; Remarks on the Resolution of Mr Stevenson, of Virginia, for the Repeal of the 25th section of the Judiciary Act of the United States ; Review of the Case of the *Jeune Eugenie*, determined in the Circuit Court of the United States, held at Boston, December, 1821 ; Penal Jurisprudence—Review of a Report made to the General Assembly of the State of Louisiana, on the plan of a Penal Code for said State ; by Edward Livingston ; Commission to take Foreign Testimony ; Law of Corporations—Opinion of Chancellor Kent and of Judge Spencer, in the case of the North River Bank ; Law of Corporations—Remarks on the case of the Corporation, styled "The Trustees of the Roman Catholic Society worshipping at the Church of St. Mary, in the city of Philadelphia," by Richard H. Bayard.'

A note to the table of contents of the second number, informs us, that 'a digest of all the late British and American reports, which are not included in the present British or American digests, is preparing for the third number of this work.'

Having of course no other object in the present article, but to take a friendly and respectful notice of a contemporary journal, and to pay a just tribute to its merit and promise, we forbear to enter into any discussion of the separate essays enumerated in the contents, as we have just quoted them. This enumeration will have sufficiently excited the curiosity of such of our law readers as have not already done it, to put themselves in possession of the work. We rejoice to behold in it another respectable literary enterprise, and to see springing up in different parts of our native land, writers of inquisitive minds, sterling sense, deep science, and patriotic sentiment, who devote themselves to the task of elucidating the grand, but yet unfinished system of civil polity, of which America was the first to lay the foundations, and to exhibit as a model for the imitation and guidance of other nations. It is not for Americans, who demonstrated to the world that the fetters of the feudal institutions could be burst asunder as easily as the bands on the strong man in Holy Writ, who first set mankind an ex-

ample of the efficiency and stability of representative democracies, maintained by equal laws, flowing from the general will, instead of the interested and arbitrary dictation of one or of a few,—it is not for us to rest contented with drawing all our law from the troubled fountains of transatlantic jurisprudence. The codes of Europe, whether of Roman or Germanic origin,—under whatever denomination, civil or common, they are respectively to be ranked,—at the same time, that they abound in reverend maxims of justice, which demand our profoundest respect, are not devoid of equally reverend abuses and corruptions, which require to be stamped with reprobation. If it be a settled principle of one of these systems, that the good pleasure of the prince has all the force of law, it is no less the settled principle of another, that the king can do no wrong, and that the powers of parliament are as boundless even as space or time. Novel and unlike in spirit to our parent institutions as are the principles of government and legislation so happily established in this country, there is the greater necessity that jurists of eminent abilities, whom long study and practice of our laws have enabled to appreciate their defects and excellencies, should bring forth the stores of their erudition to direct and enlighten their fellow citizens. To consummate our independence, we need that our laws should be sifted of the relics of feudal barbarism which continue mingled with them, and that a strong line of demarcation should be clearly and distinctly drawn between what is and what is not adopted from the English into the American codes, so that one and the same uncontaminated spirit of liberty should pervade and animate all our political institutions. While our tribunals of justice and legislative assemblies are gradually effecting this object, as occasions call for their interposition, by sage decisions and enactments, private individuals may usefully cooperate in promoting the same end by disseminating sound and lucid expositions of the constitutions and laws of the confederate states; and in this honorable field of exertion we feel authorized to anticipate many benefits from such publications as the United States Law Journal.